**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

LISA M. REHBURG,

   Plaintiff,

v.   **NO: 1:18-CV-00531-MV-JHR**

BOB HUBBARD HORSE TRANSPORTATION, INC.,

   Defendant.

**ORDER DENYING DEFENDANT'S OPPOSED MOTION FOR HEARING ON PLAINTIFF'S
MOTION TO REMAND**

Plaintiff Lisa M. Rehburg filed a *Motion to Remand and in the Alternative, to Allow for Limited Discovery* [Doc. 11] on August 15, 2018. Presiding District Judge Martha Vazquez referred the motion to remand to Magistrate Judge Jerry Ritter [Doc. 12] on August 21, 2018. The motion to remand proposes that the jurisdictional requirement of the Carmack Amendment, an amount in controversy exceeding $10,000, is not met in this case. The motion is fully briefed and under advisement. [Doc. 21].

Defendant Bob Hubbard Horse Transportation, Inc. ("BHHT") filed an *Opposed Motion for Hearing on Plaintiff's Motion to Remand* [Doc. 22] on October 4, 2018. BHHT stated no specific grounds for holding a hearing. Rehburg did not file a response, but BHHT informed the Court through the motion that Rehburg opposes holding a hearing, citing a preference for judicial economy.

The instant issue is whether the Court should schedule oral argument on a motion when the request for argument states no substantive grounds and oral argument is opposed for reasons of judicial economy. The United States District Court for the District of New Mexico has a preference for judicial economy set forth in D.N.M. LR-Civ. 7.6(a): "A motion will be decided on the briefs unless the Court sets oral argument." No countervailing authority applicable to these facts has been presented or is known to the Court. Therefore, as local rules and judicial economy both favor a decision on the briefs, and as BHHT cites no factual grounds nor authority for a contrary decision, oral argument should not be scheduled.

THEREFORE, BHHT's *Opposed Motion for Hearing on Plaintiff's Motion to Remand* [Doc. 22] is **DENIED**.

IT IS SO ORDERED.

_____
THE HONORABLE JERRY H. RITTER
UNITED STATES MAGISTRATE JUDGE